



## **AN ADMINISTRATIVE MILITIA**

In August 2022, the Internal Revenue Service (IRS) posted a shocking job listing that included a requirement of being able to legally carry a firearm and being willing to use deadly force.<sup>1</sup> Most Americans likely view the IRS as a large team of accountants and don't realize the agency also employs special agents who participate in arrests.

This is not unique to the IRS. Over one hundred federal agencies employ law enforcement officers and spend millions each year to buy guns, ammunition, and military-style equipment.<sup>2</sup> While these types of purchases would be expected for traditional law enforcement agencies, such as the U.S. Customs and Border Protection or the Federal Bureau of Investigation, more than 70 of these are administrative agencies, such as the Environmental Protection Agency (EPA) and the Bureau of Indian Affairs.<sup>3</sup>

### **BACKGROUND**

- **Law enforcement hiring is growing across many administrative agencies.**
  - According to the Bureau of Justice Statistics' latest report on the number of federal law enforcement officers, Amtrak, National Park Service, and Bureau of Indian Affairs had the largest percentage increases in federal law enforcement officers between 2008 and 2016. The percentage increases were 40%, 29% and 27% respectively.<sup>4</sup>
  - At all federal agencies, the number of federal law enforcement officers grew from 121,909 to 132,110, or 8.4%, between 2008 and 2016.<sup>5</sup>
  - In 2021, the IRS employed 2,046 Special Agents, up slightly from 2020.<sup>6</sup> Their number of agents peaked at 3,363 in FY1995.<sup>7</sup> In August 2022, President Biden signed the Inflation Reduction Act into law.<sup>8</sup> The law authorized an additional \$45.6 billion to IRS enforcement efforts, sparking fears of another hiring spree leading to coercive overreach by the IRS.
  - Some agencies, such as the Smithsonian Institution, that didn't employ full-time law enforcement as recently as 2008, now do.<sup>9</sup>
- **Administrative agencies spend millions on military-style equipment.**
  - While traditional law enforcement agencies spend the most, administrative agencies spent nearly \$22 million on guns, ammunition, and military-style equipment in FY2019.<sup>10</sup>
  - Some of the types of equipment administrative agencies have stockpiled in recent years are night vision binoculars, body armor, drones, and even chemical weapons and equipment.<sup>11</sup>
  - The number of administrative agencies buying this type of equipment grew from 67 agencies between FY2006-FY2014 to 76 agencies between FY2015 to FY2019.<sup>12</sup>
  - The IRS alone spent nearly \$8.7 million between FY2015 and FY2019 on military-style equipment, which was the fourth highest amount of all administrative agencies. During this same period, \$3.5 million of that was spent on ammunition.<sup>13</sup>
  - The Federal Aviation Administration had the highest level of spending of the administrative agencies on military-style equipment between FY2015 and FY2019, totaling nearly \$15 million.<sup>14</sup>

## POLICY SOLUTIONS

The militarization of federal agencies is a troubling trend that deserves sufficient scrutiny. Congress should regularly conduct oversight to evaluate the need for administrative agencies to employ armed agents and purchase military-style equipment. Agencies that are unable to clearly demonstrate a need to employ full-time armed personnel should rely on local law enforcement or the U.S. Marshals when there is a clear need for armed protection.

The government's role as prescribed in the Preamble of the Constitution is to "provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty." Further, America is a representative, democratic republic, because it derives its power from the people. The militarization of federal agencies and the stockpiling of guns and ammunition gives the appearance that the federal government is more concerned with providing for its own welfare and defense, rather than for the American people.

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<sup>1</sup> IRS Careers: IRS Criminal Investigation Special Agent. United States Internal Revenue Service. <https://www.jobs.irs.gov/resources/job-descriptions/irs-criminal-investigation-special-agent> and Jessica Chasmer. IRS faces online uproar over special agent job posting requiring ability to use deadly force 'if necessary.' FOXBusiness. August 10, 2022. <https://www.foxbusiness.com/politics/irs-faces-online-uproar-special-agent-job-posting-requiring-ability-use-deadly-force-necessary>

<sup>2</sup> Adam Andrzejewski and Thomas W. Smith. The Militarization of the U.S. Executive Agencies. OpenTheBooks. December 2020. [https://www.openthebooks.com/assets/1/6/Militarization\\_Report\\_v5.pdf](https://www.openthebooks.com/assets/1/6/Militarization_Report_v5.pdf)

<sup>3</sup> *Id.*

<sup>4</sup> Federal Law Enforcement Officers, 2016 – Statistical Tables. U.S. Department of Justice: Bureau of Justice Statistics. October 2019. <https://bjs.ojp.gov/content/pub/pdf/fleo16st.pdf>

<sup>5</sup> *Id.*

<sup>6</sup> <https://www.irs.gov/pub/irs-pdf/p3583.pdf>

<sup>7</sup> Adam Andrzejewski and Thomas W. Smith. The Militarization of the U.S. Executive Agencies. OpenTheBooks. December 2020. [https://www.openthebooks.com/assets/1/6/Militarization\\_Report\\_v5.pdf](https://www.openthebooks.com/assets/1/6/Militarization_Report_v5.pdf)

<sup>8</sup> Inflation Reduction Act of 2022, P.L. 117-169 (August 16, 2022) <https://www.congress.gov/117/bills/hr5376/BILLS-117hr5376enr.pdf>

<sup>9</sup> <https://bjs.ojp.gov/content/pub/pdf/fleo16st.pdf>

<sup>10</sup> Adam Andrzejewski and Thomas W. Smith. The Militarization of the U.S. Executive Agencies. OpenTheBooks. December 2020. [https://www.openthebooks.com/assets/1/6/Militarization\\_Report\\_v5.pdf](https://www.openthebooks.com/assets/1/6/Militarization_Report_v5.pdf)

<sup>11</sup> *Id.*

<sup>12</sup> Adam Andrzejewski and Thomas W. Smith. The Militarization of America. OpenTheBooks. June 2016. [https://www.openthebooks.com/assets/1/7/Oversight\\_TheMilitarizationOfAmerica\\_06102016.pdf](https://www.openthebooks.com/assets/1/7/Oversight_TheMilitarizationOfAmerica_06102016.pdf) and Adam Andrzejewski and Thomas W. Smith. The Militarization of the U.S. Executive Agencies. OpenTheBooks. December 2020. [https://www.openthebooks.com/assets/1/6/Militarization\\_Report\\_v5.pdf](https://www.openthebooks.com/assets/1/6/Militarization_Report_v5.pdf)

<sup>13</sup> Adam Andrzejewski and Thomas W. Smith. The Militarization of the U.S. Executive Agencies. OpenTheBooks. December 2020. [https://www.openthebooks.com/assets/1/6/Militarization\\_Report\\_v5.pdf](https://www.openthebooks.com/assets/1/6/Militarization_Report_v5.pdf)

<sup>14</sup> *Id.*